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Official Journal of the Plant Variety Protection Office



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U.S. Department of Agriculture
Agricultural Marketing Service

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PREFACE

The Plant Variety Protection Act (7 U.S.C. 2321 et seq.) authorizes the Secretary of Agriculture to publish an Official Journal and to provide the public with pertinent information relating to the operations of the Plant Variety Protection Office.

The statute also authorizes the Secretary to disseminate technological and other information available to the Office that would encourage innovation and promote progress in plant breeding.

The Official Journal, which is published quarterly, includes instructions issued by the Office and related information. It will be sent free to anyone on request. Send requests to:

Plant Variety Protection Office
Livestock, Poultry, Grain and Seed Division
AMS, U.S. Department of Agriculture
Room 205, National Agricultural Library Bldg.
Beltsville, Maryland 20705

This issue covers the period from January 1, 1978, through March 31, 1978.

Application No.	Date	Name of Applicant	Name of Kind	Name of Variety
7800017	1/3/78	Ardie G. Gustafson, Seedsman	Pea	Granada
7800018	1/6/78	Asgrow Seed Company	Soybean	A5618
7800019	1/9/78	Pfister Hybrid Corn Company	Corn	LP1 Cms Ht
7800020	1/9/78	Pfister Hybrid Corn Company	Corn	LP1 NR Ht
**7800021	1/9/78	Callahan Enterprises, Inc.	Soybean	Rockford (2)
7800022	1/17/78	Delta and Pine Land Company	Cotton	Deltapine 26
7800023	1/17/78	Delta and Pine Land Company	Cotton	Deltapine 80
**7800024	1/25/78	University of Nebraska, ARS	Alfalfa	Baker (2)
7800025	2/8/78	Lynnville Seed Company	Soybean	Riverside 2021
7800026	2/14/78	A. L. Tozer Ltd.	Letuce	Tania
7800027	2/21/78	Denholm Seeds	Marigold	Harmony Boy
7800028	2/23/78	FMC Corporation	Muskmelon	NCX 754
**7800029	3/6/78	J. H. Lambright	Cotton	Lambright GL-F(3)
7800030	3/13/78	Ring Around Products, Inc.	Soybean	RA-401
7800031	3/13/78	Ring Around Products, Inc.	Soybean	RA-601
7800032	3/17/78	New Jersey Agricultural Experiment Station	Squash	Rutgers Golden Acorn
7800033	3/17/78	Joseph Harris Company, Inc.	Radish	Fancy Red
**7800034	3/17/78	Coker's Pedigreed Seed Company	Soybean	Coker 237 (3)
**7800035	3/17/78	Coker's Pedigreed Seed Company	Soybean	Coker 488 (3)
7800036	3/17/78	W. Brotherton Seed Company, Inc.	Pea	Avon
7800037	3/17/78	W. Brotherton Seed Company, Inc.	Pea	Quincy
7800038	3/17/78	W. Brotherton Seed Company, Inc.	Pea	Sussex
7800039	3/20/78	W. Brotherton Seed Company, Inc.	Pea	Grant
**7800040	3/20/78	Mississippi Agr. & Forestry Expt. Station	Cotton	DES 24 (3)
**7800041	3/20/78	Mississippi Agr. & Forestry Expt. Station	Cotton	DES 56 (3)
7800042	3/20/78	Van Der Have, Netherlands	Barley	Menuet
7800043	3/21/78	Denholm Seeds	Marigold	Orange Boy
7800044	3/23/78	Asgrow Seed Company	Pea	XP-C3019
**7800045	3/28/78	Auburn University, A.E.S.	Vetch, Common	Cahaba White (3)
**7800046	3/28/78	Auburn University, A.E.S.	Vetch, Common	Nova II (3)
**7800047	3/28/78	Auburn University, A.E.S.	Vetch, Common	Vanguard (3)
**7800048	3/28/78	Auburn University, A.E.S.	Vetch, Common	Vantage (3)

** To be sold by variety name only as a class of certified seed.
 () No. of generations of certified seed permitted beyond breeder's seed.

APPLICATIONS RECEIVED

<u>Application No.</u>	<u>Date</u>	<u>Name of Application</u>	<u>Name of Kind</u>	<u>Name of Variety</u>
7800049	3/30/78	Soybean Research Foundation, Inc.	Soybean	Big Boy
7800049	3/30/78	Soybean Research Foundation, Inc.	Soybean	Dotson
7800051	3/30/78	Soybean Research Foundation, Inc.	Soybean	Gutwein 421
**7800052	3/30/78	Soybean Research Foundation, Inc.	Soybean	Matsoy (3)
7800053	3/30/78	Soybean Research Foundation, Inc.	Soybean	PL709947
7800054	3/30/78	Soybean Research Foundation, Inc.	Soybean	PL723299L
**7800055	3/30/78	Soybean Research Foundation, Inc.	Soybean	SRF 150P (3)

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CERTIFICATES ISSUED AND NOVELTY BASED ON APPLICANT'S CLAIM

<u>Certificate No.</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Name of Kind</u>	<u>Name of Variety</u>
7600059	Jan. 26, 1978	Northrup, King and Company	Bean	EXP. 195
'EXP. 195' most closely resembles 'Bush Blue Lake 290'; however, 'EXP. 195' has darker pods (7.5 GY Munsell Color Chart) than 'Bush Blue Lake 290' (5.0 GY). 'EXP. 195' also has more erect growth habit than 'Bush Blue Lake 290' which is exhibited in stem length. 'EXP. 195' has stems averaging 25 cm long while 'Bush Blue Lake 290' has stems 36 cm long which tend to sprawl. 'EXP. 195' has pod spurs that are 5 mm longer than those of 'Bush Blue Lake 290.'				
7700005	Jan. 26, 1978	L. D. Maffei Seed Co., Inc.	Lima Bean	Maffei 76
'Maffei 76' most closely resembles 'Bridgeton'; however, 'Maffei 76' averages 8 cm shorter in plant height and matures 3-4 days earlier than 'Bridgeton.'				
**7700040	Jan. 26, 1978	Chocolate Bayou Company	Rice	CB 744 (3)
'CB 744' most closely resembles 'Bluebell'; however, 'CB 744' is 21 cm shorter and has shorter internodes than 'Bluebell.' Both varieties have the same number of nodes.				
7700054	Jan. 26, 1978	ACCO Seed	Cotton	Paymaster 784
'Paymaster 784' is most similar to 'Paymaster 111-A'; however, 'Paymaster 784' is glandless and has a more stormproof boll and a 2.29 mm shorter fiber (24.13 vs 26.42) than 'Paymaster 111-A.'				
**7700055	Jan. 26, 1978	Jacques Seed Company	Soybean	J-94A (3)
'J-94A' most closely resembles 'Swift,' but 'J-94A' has a tan hilum; whereas, 'Swift' has a black hilum.				
**7700056	Jan. 26, 1978	Jacques Seed Company	Soybean	J-102A (3)
'J-102A' most closely resembles 'Corsoy'; however, 'J-102A' has tan pods; whereas, 'Corsoy' has brown pods.				

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CERTIFICATES ISSUED AND NOVELTY BASED ON APPLICANT'S CLAIM

<u>Certificate No.</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Name of Kind</u>	<u>Name of Variety</u>
**7700076	Jan. 26, 1978	ACCO Seed	Cotton	Paymaster 785(3)
'Paymaster 785' most closely resembles 'Paymaster 18,' but 'Paymaster 785' has a higher lint percentage (39.47 vs 35.83) than 'Paymaster 18' and 'Paymaster 785' is more resistant to verticillium wilt.				
7500014	Feb. 2, 1978	D. J. van der Have B.V.	Hard Fescue	Scaldis
'Scaldis' most closely resembles 'Biljart,' but 'Scaldis' is 14 cm taller (84 vs 70), heads 5 days later, and has 2 cm longer panicle (9 vs 7). 'Scaldis' also has dark grey-green leaves; whereas, leaves of 'Biljart' are dark green.				
**7700077	Feb. 2, 1978	ACCO Seed	Cotton	Paymaster 792(3)
'Paymaster 792' most closely resembles 'Paymaster 111-A,' but 'Paymaster 792' bolls mature earlier (46.3 vs 21.9 percent open bolls on October 10) than bolls of 'Paymaster 111-A.'				
7800005	Feb. 2, 1978	W. Atlee Burpee Company	Zinnia	Rose Starlet
'Rose Starlet' most closely resembles 'Peter Pan Pink'; however, the flower type differs. The petals of 'Rose Starlet' are broad and corrugated; flower head profile is flat; and flower heads are semi-double. Petals of 'Peter Pan Pink' are semi-ruffled; flower head profile is semi-globular; and flower heads are double.				
7800009	Feb. 2, 1978	W. Atlee Burpee Company	Lettuce	Royal Oak Leaf
'Royal Oak Leaf' most closely resembles 'Oakleaf'; however, according to the Royal Horticultural Society Colour Classification the leaves of 'Royal Oak Leaf' are Spinach Green 0960 while those of 'Oakleaf' are Lettuce Green 861. The terminal lobe of the leaf of 'Royal Oak Leaf' is also longer and narrower than that of 'Oakleaf.'				

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CERTIFICATES ISSUED AND NOVELTY BASED ON APPLICANT'S CLAIM

<u>Certificate No.</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Name of Kind</u>	<u>Name of Variety</u>
**7300100	March 16, 1978	Cornell University Agricultural Experiment Station	Alfalfa	Multileaf (3)
'Multileaf' is more similar to 'Saranac' and 'Iroquois' than other varieties. 'Multileaf' has 99% of plants with multifoliate leaves; 'Iroquois' and 'Saranac' have less than 1% of the plants with multifoliate leaves.				
**7600025	March 16, 1978	Greenbush Seed and Supply	Wheat	GB 2148 (2)
'GB 2148' is most similar to '5210' hard red winter wheat. 'GB 2148' differs from '5210' by having brown glumes and resistance to soil-borne mosaic; whereas, '5210' has yellow glumes and is susceptible to soil-borne mosaic.				
**7700049	March 16, 1978	Oklahoma University Agricultural Experiment Station	Cotton	Westburn M (2)
'Westburn M' most closely resembles 'Westburn 70,' but 'Westburn M' has a higher micronaire (4.4 vs 3.9) and is resistant to bacterial blight; whereas, 'Westburn 70' is susceptible.				
**7700050	March 16, 1978	Iowa Agriculture and Home Economics Experiment Station	Soybean	Coles (3)
'Coles' most closely resembles 'Hark.' Seeds of 'Coles' are 1.5 to 2.4 g/100 larger than those of 'Hark' and 'Coles' is more resistant to iron chlorosis than 'Hark.'				
7700098	March 16, 1978	Asgrow Seed Company	Bean	Bush Blue Lake 92
'Bush Blue Lake 92' most closely resembles 'Thor.' 'Bush Blue Lake 92' is approximately 4 days earlier in maturity than 'Thor' and 'Bush Blue Lake 92' pods are of smaller sieve size than 'Thor.'				

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CERTIFICATES ISSUED AND NOVELTY BASED ON APPLICANT'S CLAIM

<u>Certificate No.</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Name of Kind</u>	<u>Name of Variety</u>
7700099	March 16, 1978	Asgrow Seed Company	Bean	Bush Blue Lake 94
'Bush Blue Lake 94' is most similar to 'Bush Blue Lake 290'; however, the pods of 'Bush Blue Lake 94' are of larger sieve size and are at least 1 cm longer than the pods of 'Bush Blue Lake 290.'				

AMENDED CERTIFICATES

<u>Certificate No.</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Name of Kind</u>	<u>Name of Variety</u>
7300054	Oct. 30, 1974	Ring Around Products, Inc.	Soybean	Mitchell

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY		1b. VARIETY NAME		FOR OFFICIAL USE ONLY	
				PV NUMBER	
2. KIND NAME		3. GENUS AND SPECIES NAME		FILING DATE	TIME A.M. P.M.
4. FAMILY NAME (BOTANICAL)		5. DATE OF DETERMINATION		FEE RECEIVED	DATE
				\$ _____	_____
				\$ _____	_____
6. NAME OF APPLICANT(S)		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)			8. TELEPHONE AREA CODE AND NUMBER
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.)			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION		11. DATE OF INCORPORATION
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS:					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☐ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☐ 13B. Exhibit B, Novelty Statement.
- ☐ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.)		<input type="checkbox"/> YES <input type="checkbox"/> NO	
14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED?	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "Yes," give name of countries and dates.)			
15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "Yes," give name of countries and dates.)			

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? <input type="checkbox"/> YES <input type="checkbox"/> NO	
17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.	
The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.	
Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.	

(DATE)

(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

FORM GR-470 (1-78)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

United States Department of Agriculture
Agricultural Marketing Service
Plant Variety Protection Office, Rm. 205
National Agricultural Library
Beltsville, Maryland 20705

Official Business
Penalty for Private Use \$300.



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FIRST CLASS

NEW APPLICATION FORM

(see pages 10 and 11)

The application form for a plant variety certificate has been revised to comply with the amended regulations and rules of practice under the Plant Variety Protection Act, effective March 17, 1977. The following changes were made:

1. Extend for one year the maximum period allowed applicants after filing in a foreign country to file for protection in the U.S. This means that foreign developers of seed-reproducing plant varieties will have 5 instead of 4 years to file for protection in the U.S. The 5-year period coincides with the policy of other countries which administer "grow-out" tests to evaluate new plant varieties.

2. Require that an application abandoned for failure to act, if revived, must be revived within 3 months.

3. Require that two of three \$250 fees be paid when the application is filed, with a provision for a refund if the application is canceled before the search or examination work has started.

4. Require the seed sample of a minimum size to be submitted with the application rather than following the notice of allowance of a certificate.

The amendments are primarily for the purpose of accomodating applicants, to make the regulations uniform for all abandoned applications, and to eliminate delays caused by collecting fees and a seed sample separately.